



# Chemical Safety and Hazard Investigation Board

## Office of General Counsel

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### Memorandum

To: Board Members

From: Christopher Warner

Cc: Leadership Team  
Rachael Gunaratnam  
Christina Morgan

Subject: Board Action Report – Notation Item 890

Date: December 8, 2011

On December 6, 2011, the Board approved Notation Item 890, thereby designating Recommendation 2006-02-I-DE-R3, to Valero Energy Corporation (from the Valero Delaware City Refinery investigation), with the status of Closed – Acceptable Action.

### Voting Summary – Notation Item 890

**Disposition: APPROVED**

**Disposition date: December 6, 2011**

	Approve	Disapprove	Calendar	Not Participating	Date
<b>R. Moure-Eraso</b>	X				11/21/2011
<b>J. Bresland</b>	X				11/29/2011
<b>M. Griffon</b>	X				12/6/2011

**U.S. Chemical Safety and  
Hazard Investigation Board**



**Hon. Rafael Moure-Eraso**  
Chairperson

**Hon. John S. Bresland**  
Board Member

**Hon. Mark Griffon**  
Board Member

**CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD  
MEMBER VOTING RECORD**

**Notation No.: 890**

**Voting Period: November 21 – December 6, 2011**

**Subject: Status Change – Recommendation to Valero Energy Corporation (2006-02-I-DE-R3)  
from the Valero Delaware City Refinery Investigation (2006-02-I-DE)**

Whereas,

1. The Board is authorized by 42 U.S.C. § 7412(r)(6)(C)(i) to “investigate . . . and report to the public in writing the facts, conditions, and circumstances and the cause or probable cause of any accidental release resulting in a fatality, serious injury or substantial property damages;”
2. The Board is further authorized by 42 U.S. C. § 7412(r)(6)(C)(ii) to “issue periodic reports to the Congress, Federal, State and local agencies, including the Environmental Protection Agency and the Occupational Safety and Health Administration, concerned with the safety of chemical production, processing, handling and storage, and other interested persons recommending measures to reduce the likelihood or the consequences of accidental releases and proposing corrective steps to make chemical production, processing, handling and storage as safe and free from risk of injury as is possible;”
3. The Board has issued such a recommendation to **Valero Energy Corporation** based upon the findings of the Board’s Valero Delaware City Refinery investigation;
4. Consistent with Order 022, the Board is to vote on changes to the status of recommendations;
5. The staff of the Office of Recommendations proposes that the status of the above named recommendation should be changed, as described in the attached Recommendation Response Evaluation.

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Notation No.: 890  
Subject: Status Change – Recommendation 2006-02-I-DE-R3

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Therefore, pursuant to its authority, the Board hereby votes to designate **Recommendation 2006-02-I-DE-R3** with the status of **Closed - Acceptable Action**.

\_\_\_\_\_ I **APPROVE** this notation item **AS PRESENTED**.

\_\_\_\_\_ I **CALENDAR** this notation item for discussion at a Board meeting.

\_\_\_\_\_ *Some of my concerns are discussed below or on the attached memorandum.*

\_\_\_\_\_ I **DISAPPROVE** this notation item.

\_\_\_\_\_ *A dissent is attached.*

\_\_\_\_\_ *I will not file a dissent.*

\_\_\_\_\_ I am **NOT PARTICIPATING**.

Date: \_\_\_\_\_

Member: \_\_\_\_\_